

**Response**

Applicant: Kimberly A. Newell et al.

Serial No.: 10/028,060

Filed: December 21, 2001

Docket No.: M233.101.101

Title: LITIGATION MANAGEMENT SYSTEM AND METHOD

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**REMARKS**

The following remarks are made in response to the Non-Final Office Action mailed December 21, 2004. In that Office Action, the Examiner rejected claims 1-83 under 35 U.S.C. §103(a) as being unpatentable over United States District Court Northern District of California Electronic Case Filing Users Manual ("CA District Court Manual").

With this Response, no claims have been amended. Claims 1-83 remain pending in the application and are presented for reconsideration and allowance.

**35 U.S.C. §103 Rejections**

The Examiner rejected claims 1-83 under 35 U.S.C. §103(a) as being unpatentable over United States District Court Northern District of California Electronic Case Filing Users Manual ("CA District Court Manual"). The publication date for the CA District Court Manual is October 2001. The current application claims the benefit of the filing date of Provisional Application Serial Number 60/257,607, filed December 22, 2000, entitled "LITIGATION MANAGEMENT SYSTEM." Therefore, the CA District Court Manual is not prior art under 35 U.S.C. §103(a). Applicants respectfully submit that the above rejections of claims 1-83 under 35 U.S.C. §103(a) be withdrawn and these claims be allowed.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-83 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-83 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24<sup>th</sup> day of February, 2005.

By Jeff A. Holmen  
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